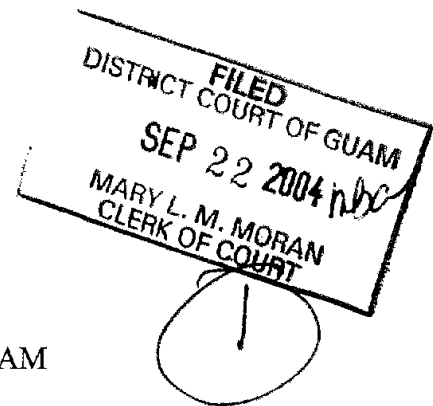


ORIGINAL

CARLSMITH BALL LLP

DAVID LEDGER  
Bank of Hawaii Bldg., Suite 401  
134 West Soledad Avenue, P.O. Box BF  
Hagåtña, Guam 96932-5027  
Tel No. 671.472.6813

Attorneys for Plaintiff  
Hanson Permanente Cement



IN THE DISTRICT COURT OF GUAM

HANSON PERMANENTE  
CEMENT OF GUAM,

Plaintiff,

vs.

KRAFTPAK, LIMITED and  
BRUCE ANSLEY, personally,

Defendants.

CIVIL CASE NO. 04-00042

**COMPLAINT FOR BREACH OF  
CONTRACT AND QUANTUM  
MERUIT**

Plaintiff, by and through undersigned counsel, alleges for its complaint as follows:

I. Jurisdiction

1. With respect to Hanson Permanente Cement of Guam Inc.'s ("Hanson") claim, the Court has jurisdiction of this action under 28 USC § 1332.

II. Parties

2. Hanson is a corporation authorized to transact business in Guam with its principle place of business in Guam.

3. Upon information and belief Kraftpak, Limited ("Kraftpak") is a corporation licensed to do business in Tauranga, New Zealand, with its Registered Office located at 14D Sagewood Road, R.D.G., Tauranga, New Zealand.

4. Upon information and belief Bruce Ansley is a citizen of New Zealand and can be served at his office at 14D Sagewood Road, R.D.G., Tauranga, New Zealand.

III. Facts

5. On or about April 25, 1995, Kraftpak by and through Bruce Ansley, contacted Mr. Wes Price of Kaiser Cement Corporation of Guam ("Kaiser"), in order to make an offer for the sale of cement bags. See Exhibit A attached hereto and incorporated herein by reference.

6. Shortly thereafter, price, quantity, shipping instructions, and materials were agreed upon and a Contract was formed.

7. Subsequently, in November 1997, Mr. Price renegotiated the terms of the Contract for the term of January 1, 1998 through December 31, 1999. As a result of the negotiations, the price of the cement bags increased to U.S. \$0.4036/bag. See Exhibit B attached hereto and incorporated herein by reference.

8. On or about August 30, 1999, Kaiser changed its name to Hanson Permanente Cement of Guam.

9. On or about December 12, 1999, Mr. Price received a letter from Bruce Ansley confirming the contractual relationship for shipment of cement bags for 2000 and 2001. This letter fixed the new price for the cement bags at U.S. \$ .3708/bag. See Exhibit C attached hereto and incorporated herein by reference.

10. The parties have operated under this arrangement since January 1, 2000.

11. On various dates Hanson wire transferred funds to Kraftpak, prepaying Kraftpak for the cement bags pursuant to the Contract.

12. Thereafter, Kraftpak sent periodic shipments in varying quantities. The shipment were almost never to the conforming quantities. To date, Kraftpak has received payment for but

has failed to provide over 379,474 bags resulting in monetary damages of \$143,404.55. See Exhibits D, E and F attached hereto and incorporated herein by reference.

13. On May 25, 2004<sup>1</sup>, Mr. Ansley contacted Derek Sadler of Hanson, informing him the Contract could not be fulfilled and that Kraftpak was planning on liquidating the Company and breaching the Contract with Hanson. See Exhibit G attached hereto and incorporated herein by reference.

14. Mr. Sadler responded two (2) days later reminding Mr. Ansley that Hanson had “paid in full” for the cement bags as required under the Contract and urged Mr. Ansley to reconsider his position to breach the Contract. See Exhibit H attached hereto and incorporated herein by reference.

15. On June 1, 2004, Mr. Ansley sent a letter informing Mr. Sadler of Kraftpak’s acknowledgement of withheld funds and decision to breach the Contract. See Exhibit I attached hereto and incorporated herein by reference.

16. As of this date, no monies have been returned to Hanson as promised.

### **COUNT I**

#### **Breach of Contract**

17. Plaintiff reincorporates the allegations contained in paragraphs 1 - 16 of this Complaint as if fully stated herein.

18. Plaintiff ordered various shipments of cement bags between September 16, 1999 and November 2, 2001.

19. The terms of the agreement required Hanson to pay for all the bags in advance due to favorable currency rates at the time.

20. On various dates Hanson wire transferred funds to Kraftpak, prepaying Kraftpak for the cement bags.

---

<sup>1</sup> This letter is incorrectly dated March 15, 2004. The letter was sent via email to Derek K. Sadler on May 25, 2004.

21. As of this date, Hanson has failed to receive over 379,474 bags resulting in monetary damages of \$143,404.55. See Exhibits D, E and F.

22. Defendants have failed to refund payment as promised.

23. As a result, Plaintiff has been damaged.

**COUNT II**  
**Account Stated**

24. Plaintiff reincorporates the allegations contained in paragraphs 1- 23 of this Complaint as if fully stated herein.

25. Plaintiff ordered various shipments of cement bags between September 16, 1999 and November 2, 2001.

26. The terms of the agreement required Hanson to pay for all the bags in advance due to favorable currency rates at the time.

27. On various dates Hanson wire transferred funds to Kraftpak, prepaying Kraftpak for the cement bags.

28. As of this date, Hanson has failed to receive over 379,474 bags resulting in monetary damages of \$143,404.55. See Exhibits D, E and F.

**COUNT III**  
**Quantum Meruit**

29. Plaintiff reincorporates the allegations contained in paragraphs 1 - 28 of this Complaint as if fully stated herein.

30. Plaintiff paid for but has not received over 379,474 cement bags pursuant to the Contract.

31. Plaintiff is entitled to the refund of the remaining funds or the remaining cement bags or otherwise Kraftpak and Bruce Ansley will be unjustly enriched.

**COUNT IV**  
**Unjust Enrichment/Restitution**

32. Plaintiff reincorporates the allegations contained in paragraphs 1 - 31 of this Complaint as if fully stated herein.

33. Plaintiff conferred payment on Defendants based on Defendants' wrongful and unlawful conduct.

34. Defendant has been enriched as a result of Plaintiff's conferral of benefits and it would therefore be unjust for Defendant to retain such benefits.

35. Defendant must therefore, make restitution to Plaintiff for the benefit that Defendants received from Plaintiff.

**COUNT V**  
**Unclean Hands**

36. Plaintiff reincorporates the allegations contained in paragraph 1 - 35 of this Complaint as if fully stated herein.

37. Defendants' wrongful and unlawful conduct in their course of dealing with Plaintiff constitutes unclean hands which precludes them from asserting or receiving any equitable relief, remedies and defenses.

**COUNT VI**  
**Alter ego**

38. Plaintiff reincorporates the allegations contained in paragraphs 1 - 36 of this Complaint as if fully stated herein.

39. Upon information and belief Bruce Ansley is the sole shareholder of Kraftpak and uses Kraftpak as a mere "instrumentality" of Ansley.

40. Kraftpak as a mere "instrumentality" of Ansley is nothing other than an "alter ego" of Mr. Ansley. Therefore, such unity of ownership and interest that traditionally separate

the existence of a corporation and its ownership has ceased and recognition of the separate entity might lead to an inequitable result.

WHEREFORE, Plaintiff requests relief against the above named Defendants as follows:

- A. Actual damages in the amount of \$143,404.55.
- B. Prejudgment and Postjudgment interest at the maximum legal rate allowed by law per annum from the date of filing of this Complaint, until paid.
- C. Costs.
- D. Reasonable attorneys fees.
- E. All other relieve which the Court finds that Plaintiff is entitled.

DATED: Hagåtña, Guam, September 22, 2004.

CARLSMITH BALL LLP

  
DAVID LEDGER  
Attorneys for Plaintiff  
Hanson Permanente Cement

*Wf*

*FAX  
649-575-9022*

25 April 1995

Kaiser Cement Corporation of Guam  
PO Box K  
Agana  
Guam 96910

Attention: Mr Wes Price

Dear Sir,

Re: Supply of Cement Bags

In confirmation of request for bag pricings for the Micronesian Market for 1996 calendar year.

Specification:

Bag Size

Approx Length	22 1/2"
Approx Width	18 3/4"
Valve	3 3/4"

Print: Up to 3 colour print

Construction: A four ply bag

Outer Ply:	71 gam High Performance Sackkraft
Ply 2	71 gam High Performance Sackkraft
Ply 3	15 um High Density Polyethylene
Ply 4	71 gam High Performance Sackkraft

Pricing: US \$36.96 per 100 Bags CIF Guam/Saipan

10/11/1997 15:05 11111111111111

ANSLEY

PAGE 03

**Period - Quantity:**

Pricing will be held firm for period January 1996 to December 1996 and based upon a supply of a minimum of 1 million 40 kgs bags per year.

**Packaging:**

Bags will be supplied in 20ft ISO containers on forklift pallets (approx 13,000 per pallet, wrapped in bundles of 100) each pallet having a waterproofed tarp covering the top and extending 18" down the sides and then strapped and wrapped in two layers of shrink wrap plastic for protection against water damage.

**Quality:**

The manufacture and quality of materials would be to at least quality of present bags supplied and manufactured to International Quality Standard ISO 9002 and relevant ASTM standards.

**Lead Time:**

Manufacture within 2 weeks of order.

**Shipping:**

Shipping from New Zealand to Guam/Saipan is a minimum of once every 4 weeks by at least two shipping companies. One company direct (17 days) the other transshipping through Australia (30 days).

**Payment:**

Payment within 48 hours after evidence of FOB and Bills of Lading, to nominated Bank account by Telegraphic Transfer.

Yours sincerely  
**Kraftpak Limited**



**Bruce Ansley**  
**Director**

# **KAISER CEMENT**

KAISER CEMENT CORPORATION OF GUAM, P.O. BOX K, AGANA, GUAM 96932  
230 INDUSTRIAL AVENUE, PITI, GUAM 96925

TELEPHONE: (671) 477-1530  
FAX: (671) 477-1531

November 10, 1997

Mr. Bruce Ansley  
Director  
Kraftpak Limited  
P.O. Box 25467  
St. Heliers  
Auckland, New Zealand

Dear Bruce:

This is to amend our supply agreement as specified in your letter of April 25, 1995:

- This agreement shall be in effect from January 1, 1998 to December 31, 1999, inclusive.
- Price per bag shall remain US\$0.4036 CIF Guam/Saipan during the term of this agreement.
- Combined supply of bags for Kaiser Cement Corporation of Guam and Micronesia Cement Company shall be approximately 800,000 annually.

All other terms and conditions remain the same.

If you have any questions, please contact me.

Thanks for all your help.

Sincerely,



Wesley D. Price  
Vice President

**EXHIBIT B**

*Kraftpak Ltd  
14D Sagewood Road  
R.D.6  
Tauranga  
New Zealand*

*Phone +64 7 548 1792  
Fax +64 7 548 1793  
Mobile+64 25 308 803  
E mail bajm@iconz.co.nz*

12 December 1999

Hansen Cement  
Box K  
Guam

Attention: Wesley Price

Dear Wesley

**Re: Cement Bag Supply - Year 2000 and 2001**

Finally a price to confirm supply for both the above years.

As discussed since our last price in 1997 we have had our currency devalue against the USD by at least 10%. This of course is good news for American importing. I also said I would expect a 10% reduction in price correspondly. I have checked with our Shipper, ZIM, who finally confirm to us the price of fuel will push their freight rate up. They cannot guarantee a fixed price for a freight rate for the next two years but we have allowed a margin to cover an increase which I'm sure will happen within the next two years.

We have been able to buy forward currency at a favourable rate so could fix the price of supply to Hansen for either 12 months or 24 months. Both time values starting from January 1st, 2000.

Fixed price CIF Guam and Saipan with new bag design for both bags

Price **USD\$0.3708/bag**

Yours sincerely

  
Bruce Ansley

**EXHIBIT C**

TOTAL P.01

Received Dec-14-99 11:04am

From-

To-KAISER CEMENT GUAM

Page 01

# GUAM BAG INVENTORY

A/C 061095.1600.01

Jun-04

		COST	BAG COUNT	AMOUNT
BAGS PAID BUT NOT DELIVERED / G.L BAL			\$	87,784.55
10/21/1999	P.O. 0644-0198-0770 partial delivery Jan-00	4036	5,400	\$ (2,179.44)
1/1/2000	P.O. 0652-0198-0778 shortage reported Aug 2000	.3708	900	\$ (333.72)
5/27/2000	P.O. 0677-0198-0793 (received 68,282 bgs aug-00) (received 70,000 bgs nov-00)	.3708	1,738	\$ (644.45)
8/11/2000	P.O. 0670-0198-0796 (received 70,000 bgs nov-00)	.3708	70,000	\$ (25,956.00)
3/22/2001	P.O. 0683-0198-0809 (ordered 140,000) (received 70,000 bgs Dec 2001) (received 6,800 bgs Octv2002) (received 70,000 bgs Nov2002)	.3708	140,000 -70,000 (6,800) -70,000	\$ (51,912.00) \$ 25,956.00 \$ 2,521.44 \$ 25,956.00
5/26/2001	P.O. 0687-0198-0810 rec.d 66,000 3/29/03 rec.d 66,600 4/24/0	.3708	140,000 -66,000 -61,432	\$ (51,912.00) \$ 24,472.80 \$ 24,695.28
8/25/2001	P.O. 0687-0198-0811 rec.d 9/03 61,432 sk rec.d 4/04 66,600 sk	.3708	140,000 -61,432 -66,600	\$ (51,912.00) \$ 22,778.99 \$ 22,596.55
12/3/2001	P.O. 0687-0198-0812	.3708	140,000	\$ (51,912.00)
TOTAL			229,474	\$ <u>0.00</u>

EXHIBIT D

---

### Saipan bag inventory

A/C 056095.1600.01

Jun-04

PAID BUT NOT DELIVERED

G/L BAL

<u>COST</u>	<u>BAG COUNT</u>	<u>AMOUNT</u>
-------------	------------------	---------------

\$ 55,620.00

May-01	P.O. 0684-0198-0813	.3708	70,000	\$ (25,956.00)
Sep-03	received 60,000	.3708	(60,000)	\$ 22,248.00
	P.O. 0687-0197-0813			
Aug-01	P.O. 0688-0197-0814	.3708	70,000	\$ (25,956.00)
Dec-01	P.O. 0689-0197-0815	.3708	70,000	\$ (25,956.00)

TOTAL

150,000 \$ -

**EXHIBIT E**

REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer: 5/11/61  
Amount: \$ 25,956.00  
Receiving Bank: CHASE MANHATTAN BANK  
Branch: 021-000021  
MAIN OFFICE  
City, State: NEW YORK. N.Y. 10004  
For Credit To: KRAFTPAK Limited  
Account Name: THE National Bank of New Zealand Ltd  
Account Number: Wellington, New Zealand  
Acct. #: 001-1-941473  
Reference #: KRALTD-WSD00

Issuing Company: M.C.C.I

<u>Account Code</u>	<u>Distribution Cost</u>
<u>056095.1600.01</u>	<u>25.956.00</u>

Order # 10107 P.O. # 0684-0198-0813 AK

Approval: \_\_\_\_\_

**EXHIBIT**

\*MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:  
**HANSON PERMANENTE  
MENT OF GUAM, INC.**  
J. Box K  
Hagåtña, Guam 96910  
Tel: (671) 477-1530  
Fax: (671) 477-1531

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

## HANSON PERMANENTE CEMENT

As Agent For:

- ☐ Hanson Permanente Cement of Guam, Inc.  
☒ Hanson Micronesia Cement, Inc.  
☐

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

P.O. NUMBER

0687-0197-0813

DATE

APRIL 2, 2001

SHEET #

OF

1

1

### EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

SELLER:

**KRAFTPAK LTD.**  
14D SAGEWOOD ROAD  
R.D. 6 TAURANGA  
NEW ZEALAND

TEL: 64-7-548-1792

FAX: 64-7-548-1793

ATTN: BRUCE ANSLEY

SHIP TO AND MARK FOR:

**Hanson Micronesia Cement Inc.**  
P.O. BOX 502059 CK,  
SAIPAN, MP 96950

TEL: 671-477-1530

FAX: 671-477-1531

ATTN: DEREK SADLER

TERMS

F.O.B.

FREIGHT

SURFACE

☐ SHIPPING POINT ☐

TO BE SHIPPED

AS PER HANSON'S REQUEST

WORK ORDER NUMBER

578-375

PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS  
OF THIS PURCHASE ORDER. ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	70,000	EA.	EMPTY BAGS FOR SAIPAN, 40 KG CAPACITY 4 PLY	\$ .3708	\$25,956.00
				<b>TOTAL THIS ORDER</b>	<b>\$25,956.00</b>

#### NOTE ON INLAND BILL OF LADING:

1. P.O. NUMBER
2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

#### SPECIAL INSTRUCTIONS

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FAST-  
ENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.  
ICATE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
LY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND  
CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

#### HANSON PERMANENTE CEMENT

AS AGENT FOR  
HANSON MICRONESIA CEMENT

DEREK K. SADLER

GENERAL MANAGER

BY

NAME

SIGNATURE

**Kraftpak Limited**

144 Sagewood Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-578 1172  
Fax 64-7-348-1793

**Invoice #10162**

Hansen Permanente Cement Corp  
PO Box K  
Hagatna, Guam 96910

**Date: April 20 2001**

Attention: Mr Derek Sadler

**Purchase Order #: 0687-0197-0813**

**Description of Goods and Container Numbers:**

1 x container  
(Destination: Salpna)

Empty Cement Bags (70,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD \$25956.00**



REQUEST FOR TRANSFER OF U. S. DOLLARS

*Partial Deliv  
in Mar*

Date of Transfer: 1-6-2000

Amount: \$51,912.00

Receiving Bank: CHASE MANHATTAN BANK

Branch: MAIN OFFICE 021-000021

City, State: NEW YORK, N.Y. 10004

For Credit To: KRAFTPAK Limited

Account <sup>NAMC</sup> ~~Number~~: THE National Bank of New Zealand Ltd  
Wellington, New Zealand  
Acct. # 001-1-941473  
Reference # KRALTD-WSD00

140,000 Bags

Issuing Company: H.P.C Guam

Account Code

611.1510.01

Distribution Cost

\$51,912.00

INV# 10152 P.O.# 0652-0198-0778 AW

Approval: \_\_\_\_\_

**Kraftpak Limited**

14d Sagewood Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-308 803  
Fax 64-7-548-1793

**Invoice #10152**

Hanson Permanente Cement  
PO Box K  
Agana, Guam 96910

**Date: December 17, 1999**

Attention: Mr Wesley Price

**Purchase Order #: 0652-0198-0778**

**Description of Goods and Container Numbers:**

1 x container  
(Destination:- Guam)

Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD \$51,912.00**

"MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:"

KAISER CEMENT CORP. OF GUAM

P.O. Box K

Agaña, Guam 96910

Tel: (671) 477-1530/477-1673

Fax: (671) 477-1531

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

# KAISER CEMENT CORPORATION

As Agent For:

☐ Kaiser Cement Corp. of Guam

☒ Micronesia Cement Co. Inc.

☐

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

P.O. NUMBER

0652-0198-0778

DATE

DECEMBER 13, 1999

SHEET #

1

OF

1

## EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

SELLER:

KRAFTPAK LIMITED

ESDAILE ROAD, RD 6

TAURANGA, NEW ZEALAND

TEL: 011-025-308-803

FAX: 011-647-548-1793

SHIP TO AND MARK FOR:

HANSON PERMANENTE CEMENT OF GUAM, INC.

P.O. BOX K

HAGATNA, GUAM 96932

TEL: 671-477-1530

FAX: 671-477-1531

TERMS	F.O.B.	FREIGHT
	<input type="checkbox"/> SHIPPING POINT <input type="checkbox"/>	
TO BE SHIPPED FAV (EARLY FEBRUARY 2000)		WORK ORDER NUMBER

PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS  
OF THIS PURCHASE ORDER...ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	140,000		EMPTY BAGS FOR GUAM, 40 KG CAPACITY, 4 PLY	.3708	\$51,912.00
				TOTAL THIS ORDER	\$51,912.00

### NOTE ON INLAND BILL OF LADING:

1. P.O. NUMBER

2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

### SPECIAL INSTRUCTIONS

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FASTENED  
TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.

MULTIPLE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
CURELY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND  
ONE CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

KAISER CEMENT CORPORATION

AS AGENT FOR

HANSON PERMANENTE CEMENT OF GUAM, INC.

BY

NAME

SIGNATURE

# REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer: 5-12-06

Amount: \$ 51,912.00

Receiving Bank: CHASE MANHATTAN BANK

Branch: MAIN OFFICE 021-000621

City, State: New York. N.Y. 10004

For Credit To: KRAFTPAK Limited  
The NATIONAL BANK of New Zealand Ltd  
Wellington, New Zealand

Account Number: 001-1-941473 Reference KRAITD-115000

AW.

Issuing Company: GUAR

Account Code	Distribution Cost
611,1510.01	\$ 51,912.00

140,000 Bags P.O. 0667-0198-0793 INV # 10155

Approval: \_\_\_\_\_

## Kraftpak Limited

511 Esdaile Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-308 803  
Fax 64-7-548-1793

### Invoice #10155

Hansen Permanente Cement Corp  
PO Box K  
Hagatna, Guam 96910

Date: April 27, 2000

Attention: Mr Wesley Price

Purchase Order #: 0667-0198-0793

#### Description of Goods and Container Numbers:

2 x container  
(Destination:- Guam)

Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 ply

CIF Value  
USD \$51,912.00

*OK Sherd  
27/4*

\*MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:  
**HANSON PERMANENTE  
CEMENT OF GUAM, INC.**  
P.O. Box K  
Hagatna, Guam 96910  
Tel: (671) 477-1530  
Fax: (671) 477-1531

# HANSON PERMANENTE CEMENT

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

As Agent For:  
☒ Hanson Permanente Cement of Guam, Inc.  
☐ Hanson Micronesia Cement, Inc.

## EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

P.O. NUMBER

0667-0198-0793

DATE

APRIL 27, 2000

SHEET #

1

OF

1

### SELLER:

**KRAFTPAK LIMITED**  
ESDAILE ROAD, RD. 6  
TAURANGA, NEW ZEALAND  
TEL: 011-025-308-803  
FAX: 011-647-548-1793  
ATTN: BRUCE ANSLEY

### SHIP TO AND MARK FOR:

**HANSON PERMANENTE CEMENT OF GUAM, INC.**  
P.O. BOX K  
HAGATNA, GUAM 96932  
TEL: 671-477-1530  
FAX: 671-477-1531  
ATTN: DEREK SADLER

TERMS	F.O.B.	FREIGHT
TO BE SHIPPED	SHIPPING POINT	WORK ORDER NUMBER
FAV (END OF JUNE 2000)		

PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS  
OF THIS PURCHASE ORDER. ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	140,000		EMPTY BAGS FOR GUAM, 40 KG CAPACITY, 4 PLY	.3708	\$51,912.00
				TOTAL THIS ORDER	\$51,912.00

### NOTE ON INLAND BILL OF LADING:

1. P.O. NUMBER
2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

### SPECIAL INSTRUCTIONS

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FAST-  
ENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.  
LOCATE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
ELY FASTENED TO UNPACKAGED PIECES OR BUNDLES; ONE FOR OWNER AND  
CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

### HANSON PERMANENTE CEMENT

AS AGENT FOR

HANSON PERMANENTE CEMENT OF GUAM, INC.

BY WESLEY D. PRICE-VICE PRESIDENT

NAME

SIGNATURE

REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer:

August 6, 2001

Amount:

\$ 25,956.00

Receiving Bank:

CHASE MANHATTAN BANK

Branch:

MAIN OFFICE 021-000021

City, State:

NEW YORK, N.Y. 10004

For Credit To:

KRAFTPAK LimitedNAME  
Account Number:THE NATIONAL BANK of New Zealand LtdAcct. #  
REFERENCE #Wellington, New Zealand001-1-941473KRALTD-WSD00

Issuing Company:

MCCI

Account Code

056095 1600.01

Distribution Cost

\$ 25,956.00AM # 10/64 P.O. 0688 0197.0814 ST

Approval:

[Signature]8/3/01

**Kraftpak Limited**

14d Sagewood Road

RD 6

Tauranga

New Zealand

Ph 64-75-578 1172

Fax 64-7-548-1793

**Invoice #10164**

Hansen Permanent Cement Corp  
PO Box K  
Hagatna, Guam 96910

**Date: August 1 2001**

Attention: Mr Derek Sadler

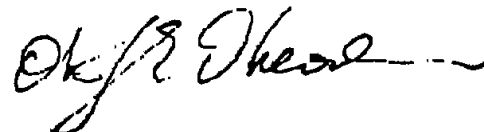
Purchase Order #: 0688-0197-0814

## Description of Goods and Container Numbers:

1 x containers  
(Destination - Saipan)

Empty Cement Bags (70,000 pcs)  
40 kg capacity 4 ply

CIF Value  
USD \$25956.00



AUG 01 '01 00:12

6475481793

PAGE. 03

Received Aug-31-04 02:56

From-

To-HANSON PERMANENTE CE Page 015



REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer:

August 6, 2001

Amount:

\$ 51,912.00

Receiving Bank:

CHASE MANHATTAN BANK

Branch:

021-000021  
MAIN OFFICE

City, State:

NEW YORK, N.Y. 10004

For Credit To:

KRAFTPAK Limited

Account <sup>NAME</sup>  
~~Number~~:

THE National Bank of New Zealand Ltd

Acct. #  
Reference #

Wellington, New Zealand  
001-1-941473  
KRALTD-WSD00

Issuing Company:

GUAR

Account Code

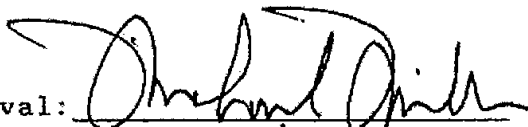
Distribution Cost

081095.1600-01

\$ 51,912.00

Inv. # 10163 P.O. 0685-1980811

Approval:

  
8/3/01

**Kraftpak Limited**

14d Sagewood Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-578 1172  
Fax 64-7-548-1793

**Invoice #10163**

Hansen Permanente Cement Corp  
PO Box K  
Hagatpa, Guam 96910

**Date: August 1 2001**

Attention: Mr Derek Sadler

**Purchase Order #: 0685-0198-0811**

Description of Goods and Container Numbers:

2 x containers  
(Destination:- Guam)

Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD \$51912.00**

*OK! Jheer*

**Kraftpak Limited**

14d Sagewood Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-578 1172  
Fax 64-7-548-1793

**Invoice #10163**

Hansen Permanente Cement Corp  
PO Box K  
Hagatna, Guam 96910

**Date: August 1 2001**

Attention: Mr Derek Sadler

**Purchase Order #: 0685-0198-0811**

**Description of Goods and Container Numbers:**

2 x containers  
(Destination:- Guam)

Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD \$51912.00**

*OK J. Heed*

## REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer: Dec 3, 2001

Amount: \$ 25,956.00

Receiving Bank: CHASE MANHATTAN BANK

Branch: MAIN OFFICE 021-000021

City, State: NEW YORK, N.Y. 10004

For Credit To: KRAFTPAK LIMITED

Account NAME: THE NATIONAL BANK OF NEW ZEALAND LTD

Account Number: Wellington, New Zealand

Acct. #: 001-1-941473

Reference #: KRALTD-WSD00

Issuing Company:

Saipan

Account Code

056095.1600.01

Distribution Cost

\$ 25,956.00Inv# 10366 R.O. 0689.0197.0815

Approval:

[Signature][Signature]  
11/30/01

**Kraftpak Limited**

14d Sagewood Road  
RD 6  
Tauranga  
New Zealand  
Ph 64-25-578 1172  
Fax 64-7-548-1793

**Invoice #10166**

Hansen Permanente Cement Corp  
PO Box K  
Magatna, Guam 96910

**Date: November 9, 2001**

Attention: Mr Derek Sadler

**Purchase Order #: 0689-0197-0815**

**Description of Goods and Container Numbers:**

1 x containers  
(Destination: Saipan)

Empty Cement Bags (70,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD \$25,956.00**

NOV 20 '01 12:20

6475481793

PAGE 03

Received Aug-31-04 02:56

From-

To-HANSON PERMANENTE CE Page 011

"MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:"  
HANSON PERMANENTE  
MENT OF GUAM, INC.

P.O. Box K  
Hagåtña, Guam 96910  
Tel: (671) 477-1530  
Fax: (671) 477-1531

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

# HANSON PERMANENTE CEMENT

As Agent For:

☐ Hanson Permanente Cement of Guam, Inc.  
☒ Hanson Micronesia Cement, Inc.

## EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

P.O. NUMBER

0589-0197-0815

DATE

NOVEMBER 2, 2001

SHEET #

OF

1

1

### SELLER:

KRAFTPAK LTD.  
140 BARNWOOD ROAD  
N.O.6 TEURANGA  
NEW ZEALAND

TEL: 54-7-548-1792

FAX: 54-7-548-1793

ATTN: BRUCE ANSLEY

### SHIP TO AND MARK FOR:

Hanson Micronesia Cement Inc.  
P.O. BOX 502059 CK,  
SAIPAN, MP 96950

TEL: 671-477-1530

FAX: 671-477-1531

ATTN: DEREK SADLER

TERMS		F.O.B.		FREIGHT	
		<input type="checkbox"/> SHIPPING POINT <input type="checkbox"/>		SURFACE	
TO BE SHIPPED			WORK ORDER NUMBER		
AS PER HANSON'S REQUEST			578-375		
PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS OF THIS PURCHASE ORDER. ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED					
ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	70,000	EA.	EMPTY BAGS FOR SAIPAN, 40 KG CAPACITY 4 PLY	\$3.70	\$25,956.00
				TOTAL THIS ORDER	\$25,956.00

### NOTE ON INLAND BILL OF LADING:

1. P.O. NUMBER
2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

### SPECIAL INSTRUCTIONS

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FAST-  
ENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.  
DUPLICATE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
CURELY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND  
ONE CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

### HANSON PERMANENTE CEMENT

AS AGENT FOR

HANSON MICRONESIA CEMENT

DEREK K. SADLER

BY

GENERAL MANAGER

NAME

SIGNATURE

White Vendor Original • Yellow Freight Forwarders • Pink Accounting

Received Aug-31-04 02:56

From-

To-HANSON PERMANENTE CE Page 013

REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer: Dec. 3, 2001  
Amount: \$ 51,912.00  
Receiving Bank: CHASE MANHATTAN BANK  
Branch: MAIN OFFICE 001-000021  
City, State: NEW YORK, N.Y. 10004  
KRA FRPAK Limited  
For Credit To: THE NATIONAL BANK OF NEW ZEALAND LTD  
Wellington, New Zealand  
Account Number: 001-1-941473 REFERENCE KRAID 45000

Issuing Company:

GUAM

Account Code

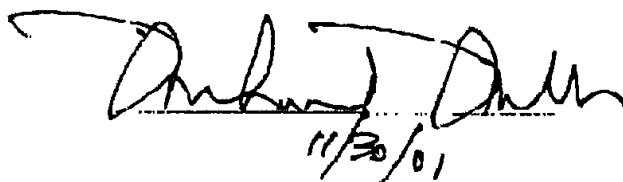
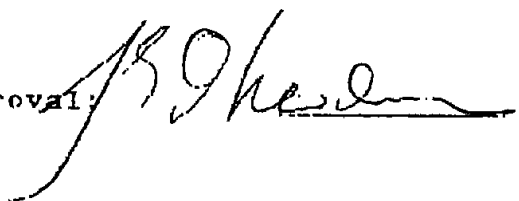
061095.1600.01

Distribution Cost

\$ 51,912.00

QW 10165 F.D. 0686-0198.0812 HH

Approval:

  
11/30/01

**Kraftpak Limited**

14d Sagewood Road

RD 6

Tauranga

New Zealand

Ph 64 25 578 1172

Fax 64-7-548-1793

**Invoice #10165**

Hansen Permanente Cement Corp  
PO Box K  
Hayatna, Guam 96910

**Date: November 9, 2001****Attention: Mr Derek Sadler****Purchase Order #: 0686-0198-0812****Description of Goods and Container Numbers**

2 x containers  
(Destination:- Guam)

Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 ply

CIF Value  
**USD 551,912.00**

NOV 20 '01 12:23

6475481793

PAGE.02

Received Aug-31-04 02:50

From-

To-HANSON PERMANENTE CE Page 000



**A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE**

## HANSON PERMANENTE CEMENT

**As Agent For:**

☒ Hanson Permanent Cement of Guam, Inc.  
☐ Hanson Micronesia Cement, Inc.  
☐

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

**P.O. NUMBER**

0686-0199-0812

DATE

NOVEMBER 9, 2001

SHEET # OF

## EXPORT PURCHASE ORDER

**FOR EXPORT ONLY - DO NOT CHARGE SALES TAX**

**SELLER**

KRAFTFAR LTD.  
ESDALE ROAD, RD 6  
TAURANGA, NEW ZEALAND  
TEL: 64-7-540-1792  
FAX: 64-7-540-1793  
ATTN: GUYE ANSLYX

## SHIP TO AND MARK FOR:

Harrison Permanents Cement of Guam Inc.  
P.O. BOX K  
HAGATNA, GUAM 96932  
TEL: 671-1530  
FAX: 671-277-1531  
ATTN: DEREK SADLER

## TERMS

**Г.О.В.**

FREQUENT

**SHIPPING POINT**

**SURFVIR**

TO BE SHIPPED

AS PER HANSON'S REQUEST:

**WORK ORDER NUMBER**

578-375

PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS OF THIS PURCHASE ORDER. ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	140,000 "CONNECTED 7/16/01"	EA.	EMPTY BAGS FOR GUAM, 40 KG CAPACITY 4 PLY	\$ .9708	\$51,912.00
NOTE ON INLAND BILL OF LADING: 1. P.O. NUMBER 2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT				TOTAL THIS ORDER	\$51,912.00

**NOTE ON INLAND BILL OF LADING:**

2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

**SPECIAL INSTRUCTIONS**

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FASTENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIALS. LOCATE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SECURELY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND ONE CLEARLY MARKED FOR CUSTOMS OFFICIALS.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CHATE WITH P.O. NUMBER AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE RECOGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED ONLY BY THE PURCHASER.

## HANSON PERMANENT CEMENT

AS AGENT FOR

HANSON PERMANENT DEMENT OF COAM

DEREK K. SADLER

BY GENERAL MANAGER

NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_

**White Vendor Original • Yellow Freight Forwarders • Pink Accounting**

Received Aug-31-04 02:56

From—

To-HANSON PERMANENTE CE Page 008

REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer:

August 11, 2000

Amount:

\$ 51,912.00

Receiving Bank:

CHASE Manhattan Bank

Branch:

MAIN Office 021-00021

City, State:

New York New York 10004  
KRAFTPAK Limited

For Credit To:

The National Bank of New Zealand LT  
Wellington, New Zealand

Account Number:

001-1-941473 Reference KRAFTID-  
USDOC

Issuing Company:

HPC - Guam (00061)

Account Code

611.1510.01

Distribution Cost

51,912.00

PARTIAL  
DELIVERY  
70,000 BBS  
NOV/00

**Kraftpak Limited**14d Sagewood Road  
RD 6

Tauranga

New Zealand

Ph 64-25-578 1172

Fax 64-7-548-1793

**Invoice #10156**Hansen Permanente Cement Corp  
PO Box K  
Hagahua, Guam 96910**Date: August 7, 2000****Attention:** Mr Derek Sarler**Purchase Order #:** 0670-0198-0796**Description of Goods and Container Numbers:**2 x container  
(Destination - Guam)Empty Cement Bags (140,000 pcs)  
40 kg capacity 4 plyCIF Value  
**USD 551,912.00**

AUG 07 '00 00:00

6475481793

PAGE.02

Received Aug-31-04 02:58

From-

To-HANSON PERMANENTE CE Page 003

MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:  
HANSON PERMANENTE  
CEMENT OF GUAM, INC.

P.O. Box K  
Hagåtña, Guam 96910  
Tel: (671) 477-1530  
Fax: (671) 477-1531

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

# HANSON PERMANENTE CEMENT

As Agent For:

☒ Hanson Permanente Cement of Guam, Inc.  
☐ Hanson Micronesia Cement, Inc.

## EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE

P.O. NUMBER

0670-0198-0796

DATE

8/2/00

SHEET #

1

OF

1

SELLER:

KRAFTPAK LIMITED  
ESDAILE ROAD, RD. 6  
TAURANCA, NEW ZEALAND  
TEL: 011-025-308-803  
FAX: 011-647-548-1793  
ATTN: BRUCE ANSLEY

SHIP TO AND MARK FOR:

Hanson Permanente Cement of Guam Inc.  
P.O. BOX K  
HAGÁTÑA, GUAM 96932  
ATTN: DEREK SADLER

TERMS

F.O.B.

FREIGHT

SHIPPING POINT

TO BE SHIPPED

END OF NOVEMBER, 2000

WORK ORDER NUMBER

578-375

PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS  
OF THIS PURCHASE ORDER. ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1	140,000	EA	EMPTY BAGS FOR GUAM, 40 KG CAPACITY, 4 PLY	\$ .3708	\$51,912.00
				TOTAL THIS ORDER	\$51,912.00

NOTE ON INLAND BILL OF LADING:

1. P.O. NUMBER

2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

### SPECIAL INSTRUCTIONS

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FAST-  
ENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.  
DUPLICATE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
CURELY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND  
ONE CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

HANSON PERMANENTE CEMENT

AS AGENT FOR

HANSON PERMANENTE CEMENT OF GUAM, INC.

BY DEREK SADLER

NAME

SIGNATURE

White Vendor Original • Yellow Freight Forwarders • Pink Accounting

REQUEST FOR TRANSFER OF U. S. DOLLARS

Date of Transfer:

5/11/01

Amount:

\$ 51,912.00

Receiving Bank:

CHASE MANHATTAN BANK

Branch:

021-000021  
MAIN OFFICE

City, State:

NEW YORK, N.Y. 10004

For Credit To:

KRAFTPAK Limited

Account ~~Number~~ NAME:

THE National Bank of New Zealand Ltd

Acct. #  
Reference #

Wellington, New Zealand

001-1-941473  
KRALTD-WSD00

Issuing Company:

GUAM

Account Code

061095-1600-01

Distribution Cost

\$ 51,912.00

INL# 10161 P.O.# 0687-0197-0810

Approval: \_\_\_\_\_



"MAIL INVOICE (1 COPY) AND  
CORRESPONDENCE TO:"

**HANSON PERMANENTE  
MENT OF GUAM, INC.**

Box K  
Hagåtña, Guam 96910  
Tel: (671) 477-1530  
Fax: (671) 477-1531

A COPY OF PACKING LIST MUST  
ACCOMPANY INVOICE

## HANSON PERMANENTE CEMENT

As Agent For:

☒ Hanson Permanente Cement of Guam, Inc.  
☐ Hanson Micronesia Cement, Inc.  
☐

THIS ORDER NUMBER MUST APPEAR ON  
INVOICES, PACKING SLIPS, PACKAGES,  
BILLS OF LADING, CORRESPONDENCE.

P.O. NUMBER

0684-0198-0810

DATE

APRIL 2, 2001

SHEET # OF

1 1

### EXPORT PURCHASE ORDER

FOR EXPORT ONLY - DO NOT CHARGE SALES TAX

SELLER:

**KRAFTPAK**

ESDALLE ROAD, RD 6  
TAURANGA, NEW ZEALAND  
TEL: 64-7-548-1792  
FAX: 64-7-548-1793  
ATTN: BRUCE ANSLEY

SHIP TO AND MARK FOR:

Hanson Permanente Cement of Guam Inc.  
P.O. BOX K  
HAGÁTÑA, GUAM 96932  
TEL: 671-477-1530  
FAX: 671-477-1531  
ATTN: DEREK SADLER

TERMS		F.O.B.		FREIGHT	
		<input type="checkbox"/> SHIPPING POINT <input type="checkbox"/>		<del>FREIGHT</del> SURFACE	
TO BE SHIPPED			WORK ORDER NUMBER		
AS PER HANSON'S REQUEST			578-375		
PLEASE ENTER OUR ORDER AND FURNISH THE GOODS SPECIFIED BELOW IN ACCORDANCE WITH AND SUBJECT TO ALL TERMS AND CONDITIONS OF THIS PURCHASE ORDER...ADVISE US PROMPTLY IF UNABLE TO FURNISH GOODS AS ORDERED.					
QTY	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1.	140,000	EA.	EMPTY BAGS FOR GUAM, 40 KG CAPACITY 4 PLY	\$ .3708	<del>REMOVED</del> \$51,912.00
				TOTAL THIS ORDER	\$51,912.00

**NOTE ON INLAND BILL OF LADING:**

1. P.O. NUMBER
2. TOTAL CUBIC MEASUREMENTS OF THE SHIPMENT

**SPECIAL INSTRUCTIONS**

A PACKING LIST FOR OWNER MUST BE PLACED INSIDE EACH SHIPPING PACKAGE. A  
COPY OF PACKING LIST IN WATERPROOF ENVELOPE SHOULD BE SECURELY FAST-  
ENED TO OUTSIDE OF PACKAGE AND CLEARLY MARKED FOR CUSTOMS OFFICIAL.  
THREE COPIES OF PACKING LIST IN WATERPROOF ENVELOPES SHALL BE SE-  
PARATELY FASTENED TO UNPACKAGED PIECES OR BUNDLES, ONE FOR OWNER AND  
TWO CLEARLY MARKED FOR CUSTOMS OFFICIAL.

SELLER TO MARK EACH OUTSIDE CONTAINER, BOX, OR CRATE WITH P.O. NUMBER  
AND DESIGNATED EXPORT MARKS AND NUMBERS.

NO CHANGES IN OR CANCELLATIONS OF PURCHASE ORDERS WILL BE REC-  
OGNIZED UNLESS AUTHORIZED IN WRITING BY A CHANGE ORDER ISSUED  
ONLY BY THE PURCHASER.

## HANSON PERMANENTE CEMENT

AS AGENT FOR

HANSON PERMANENTE CEMENT OF GUAM

BY DEREK K. SADLER  
GENERAL MANAGER

NAME  SIGNATURE

15 March 2004

Hansen

Attention: Derek Sadler

Your container confirmed arrival Guam 2 April 2004.

We have some bad news. We can no longer supply bags to Micronesia after this shipment.

A number of reasons.

1. Since payment from Hanson for bags on forward exchange contracts a number of things have happened. Our bag supplier would not hold the price of bags and increased their price substantially.
2. We had a huge shift in currency movement and we have had a double whammy on price increase and currency movement.
3. Our supplier now tells us that they will not make any more three ply bags, all shifting to 2 ply with different sizing. This will undoubtedly incur another price increase. Their supplier stopped supplying 3 ply some time ago prior to manufacturing all bags.
4. The last 4 containers have cost us NZ\$36,000 over cost.
5. For new bags scheduling we now have to place an order with manufacturer up to 45 days then shipping can take another 60 days. That's nearly 4 months. The last two shipments we have found that cement bag manufacture gets bumped if other bags have more priority. We found this out before Christmas.

I'm sure you will get product out of USA much easier and probably more cost effective.

We are going to liquidate our company and will then be able to advise value of funds to be resent back to Hansen.

I sincerely apologise for the inconvenience this will cause.

Let me know your thoughts and if there is anything more I can do.

Regards

Bruce Ansley

**EXHIBIT G**



May 27, 2004

Hanson  
Permanente Cement  
P.O. Box K  
Hagatna, GU 96932  
Tel 671 477 1530  
dksguam@ite.net

Bruce Ansley  
Director  
Kraftpak Ltd.  
14D Sagewood Road  
RD 6 Tauranga  
New Zealand

Dear Mr. Ansley :

I am writing in response to your letter you emailed me on May 25, 2004 which was dated March 15, 2004 on your decision to no longer fulfill our contract to supply cement bags to our facilities on Guam and Saipan. As you know, Hanson Cement has "paid in full" for the cement bags due to currency exchange contracts. While Hanson Cement understands changing business conditions, we cannot accept this as a valid reason not to fulfill the obligations of the cement bag contract. It would be in your best interest to relook this unwise business decision. As the decision stands now, the only course of action for Hanson Cement is to begin legal proceedings to protect our interests. Please contact me as soon as possible to ensure we arrange an agreement acceptable to both parties.

Sincerely,

*--original signed--*

Derek K. Sadler  
General Manager

**EXHIBIT H**



1 June 2004

Hanson Permanente

Attention     Derek Sadler

Dear Derek

Re:    Bag Supply Guam/Saipan

Thanks for your reply dated 27 May 2004.

With reference to your comments regarding our 'unwise' decision. It's not that the decision is unwise it is, that is our only option remaining. The bag price, design and delivery are all changed and are outside our control.

Our only option left is to liquidate the company and transfer funds back to Hanson.

Yours faithfully

Bruce Ansley

**EXHIBIT I**